



## Legislation Details (With Text)

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**Title:** PUBLIC HEARING TO CONSIDER RESOLUTION NO. 17-001, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CARSON, CALIFORNIA, ESTABLISHING NEW FEES AND CHARGES FOR GOODS AND SERVICES PROVIDED BY THE CITY OF CARSON AND AMENDING THE COMPREHENSIVE SCHEDULE OF FEES ADOPTED BY RESOLUTION NO. 16-065  
CONSIDER INTRODUCTION OF ORDINANCE NO. 17-1612, AN ORDINANCE OF THE CITY OF CARSON, CALIFORNIA, MAKING AMENDMENTS TO THE CARSON MUNICIPAL CODE TO AMEND LOCAL MODIFICATIONS TO THE LOS ANGELES COUNTY BUILDING CODE AS ADOPTED BY THE CITY OF CARSON RELATED TO BUILDING FEES (CITY COUNCIL)

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. 2016 Amended Fee Resolution\_final, 2. 2016 Amended Fee Resolution\_redlined, 3. Building Fee Ordinance, 4. Clerk Fees, 5. Firework Permit Fee Calc

Date	Ver.	Action By	Action	Result
2/7/2017	1	City Council		

## Report to Mayor and City Council

Tuesday, February 07, 2017

Special Orders of the Day

### SUBJECT:

**PUBLIC HEARING TO CONSIDER RESOLUTION NO. 17-001, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CARSON, CALIFORNIA, ESTABLISHING NEW FEES AND CHARGES FOR GOODS AND SERVICES PROVIDED BY THE CITY OF CARSON AND AMENDING THE COMPREHENSIVE SCHEDULE OF FEES ADOPTED BY RESOLUTION NO. 16-065**

**CONSIDER INTRODUCTION OF ORDINANCE NO. 17-1612, AN ORDINANCE OF THE CITY OF CARSON, CALIFORNIA, MAKING AMENDMENTS TO THE CARSON MUNICIPAL CODE TO AMEND LOCAL MODIFICATIONS TO THE LOS ANGELES COUNTY BUILDING CODE AS ADOPTED BY THE CITY OF CARSON RELATED TO BUILDING FEES (CITY COUNCIL)**

### I. SUMMARY

The Uniform Schedule of Fees was last updated in June 2016. This proposed update

includes facility use fee recommendations made to City Council in August 2016, an increase to the fireworks wholesaler permit fee (further detailed in a separate agenda item), and some housekeeping changes to clarify information. If the City Council approves staff recommendation, fee increases will take effect 60 days after adoption of the resolution for some fees, and 60 days after adoption of the ordinance for building and safety fees.

## **II. RECOMMENDATION**

1. OPEN the Public Hearing, TAKE public testimony, and CLOSE the Public Hearing.
2. ADOPT Resolution No. 17-001, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CARSON, CALIFORNIA, ESTABLISHING NEW FEES AND CHARGES FOR GOODS AND SERVICES PROVIDED BY THE CITY OF CARSON AND AMENDING THE COMPREHENSIVE SCHEDULE OF FEES ADOPTED BY RESOLUTION NO. 16-065.
3. INTRODUCE Ordinance No. 17-1612, AN ORDINANCE OF THE CITY OF CARSON, CALIFORNIA, MAKING AMENDMENTS TO THE CARSON MUNICIPAL CODE TO AMEND LOCAL MODIFICATIONS TO THE LOS ANGELES COUNTY BUILDING CODE AS ADOPTED BY THE CITY OF CARSON RELATED TO BUILDING FEES.

1.

## **III. ALTERNATIVES**

TAKE another action deemed appropriate by City Council.

## **IV. BACKGROUND**

### Public Notification

The Uniform Schedule of Fees was last updated with the adoption of Resolution No. 16-065; following a public hearing on June 21, 2016.

On January 24, 2017, 14 days prior to the public hearing, a notice was mailed to all interested parties who have filed a written request with the City to be notified of new or increased fees.

Notice of the public hearing was published in Our Weekly on January 19, 2017, and January 26, 2017, more than 10 days prior to the public hearing.

Also on January 26, 2017, the data supporting the proposed fee increases were made available for public viewing at City Hall more than 10 days prior to the public hearing.

### Proposed Resolution

The proposed resolution is presented in “red-line” to clearly illustrate all the changes being proposed.

### Fireworks Fees

A proposed revision to the City's Fireworks Ordinance is being presented to the City Council on this same agenda. The current Fireworks Ordinance includes stated fee amounts. To be consistent with other City cost-based fees, staff proposes removing the stated fee amounts from the Municipal Code and adding them to the Uniform Schedule of Fees. As such, the recommended fees, based upon the City's calculated cost of administering the program have been included on the proposed fee resolution.

### Facility Use Fees

During the 2016 budget process, staff made recommendations regarding facility use fees and received feedback from the City Council. A vetted proposal was presented to City Council on August 2, 2016, including group categories and a process to consider reduced fees. The proposed resolution includes the facility use fee recommendations.

The recommended group categories for City facility rentals specifically added three new categories and corresponding fee rate.

Government Rate (Minimum fee of \$250 for up to 500 attendees and \$500 for 501 or more attendees plus direct cost that exceed that amount) - This fee would be applicable when there is intergovernmental cooperation and the governmental agency's duties are related, or of concern to the Carson community. Typical groups include State and Federal officials and agencies, local government agencies and Special Districts, County agencies, public and Charter Schools located in Carson.

Flat Rate (\$40 per month for Non-Profit 501(c) organizations that are Carson based with less than 30 attendees who meet for no more than two hours, once a month) - Applies to Carson based organizations to conduct board or committee meetings. Typical groups are local clubs and organizations, service groups, and youth service organizations such as scouts, school groups, sports leagues, etc. Groups must be Carson based and utilize facilities for events and programs.

No Charge - City business meetings, programs, and events; approved City Events; City Event committee meetings; City Council appointed Committees, Commissions, Boards and Task Forces; City Council approved agreements, including Service Clubs, Veteran's groups, Senior Citizen Groups and Club meetings; local businesses that conduct recruiting for employment of Carson residents through the City's Career Center; Homeowners Associations; and Neighborhood Watch meetings at their local park.

### Other Community Services Fees

Community Center Wedding Package fees have been added to the resolution as a separate category. Previously, charges were based on various other Community Center fees.

### Excursion Fees

Staff recommends setting excursion fees at the City's cost, which varies by event. Therefore, the proposed resolution includes a "formula" for the cost of the event vs. a stated dollar amount. The "formula" is written as: cost of admission plus City's actual cost

for bus, divided by maximum number of participants.

Advertising materials for each event will include the actual dollar amount calculated using the formula. For example, an excursion fee for Knott's Berry Farm would be calculated as follows:

Bus Rental, including driver for 6 hours	\$1,000
<u>Maximum Participants</u>	<u>50 People</u>
Bus cost per participant	\$20
<u>Add Cost of Admission Ticket</u>	<u>\$54</u>
<u>Total Excursion Price</u>	<u>\$74</u>

Staff's recommendation will result in the City charging 100% of its cost for excursions. If the City Council wishes to subsidize this cost, the proposed resolution can be modified to include a discount component. Example revised language might be "Resident discount equals 75% of excursion price".

#### Building Fees

The City has adopted the Los Angeles County Building Code, including the building fees. The Carson Municipal Code modifies the County's building fees, increasing them by 50% to provide for administrative support and oversight.

During the 2016 budget process, staff recommended increasing the modification from 50% to 60% to provide for records management; including digitizing building plans and other documents. The City building fee revenue is \$3 million annually. The additional 10% surcharge is estimated to generate increased revenue of \$200,000 per year to pay for the staffing and equipment costs associated with the records management effort. To accomplish the proposed increase, an ordinance to amend the Carson Municipal Code is necessary.

The increased surcharge would become effective 60 days after the second reading and adoption of the Ordinance. If the Ordinance is adopted on February 21, 2017, the effective date would be April 24, 2017.

#### Planning Deposits

When the Uniform Schedule of Fees was last updated (Resolution 16-065, adopted on June 21, 2016), some fees for planning services became a "project deposit" ensuring the planning and development fees cover the actual cost of providing our professional services. At this time, staff is recommending additional language in the Uniform Schedule of Fees: "Staff time and materials spent on the project are charged against the deposit. Additional money will be required if the original deposit balance falls below 20%. Failure or refusal to supplement the deposit, when requested, will cause staff to stop processing the application and any related requests and/or paperwork."

### Slurry Seal Program Fee

The proposed Slurry Seal Program fee has been updated to reflect the City's actual slurry seal cost. The new amount of \$0.45 per square foot is based upon vendor invoices from recent Project 1413.

### Notary Fees

In August 2016, Governor Brown signed AB 2217 increasing notary service fees effective January 1, 2017. Based upon the new state law, the City Clerk recommends increasing the City's notary service fees to the maximum allowable.

1. Taking an acknowledgment or affidavit, or administering an oath or affirmation - increase from \$10 to \$15.
2. Taking a deposition - increase from \$20 to \$30.
3. Administering the oath or affirmation for the deposition - increase from \$5 to \$7.
4. Preparing the certificate for a deposition - increase from \$5 to \$7.
5. Certifying a copy of a power of attorney - increase from \$10 to \$15.
6. Completion of a set of immigration forms per individual, by a Notary qualified and bonded as an immigration consultant - increase from \$10 to \$15.

A calculation of the City's estimated actual cost is attached to this report. Each calculated cost is less than the amount allowable by state law; therefore, staff recommends adopting the maximum fees allowable by state law.

### Housekeeping Changes

In addition to the recommend fee increases noted above, staff recommends various housekeeping changes to language in the resolution to make the fee amounts more clear. Several notable examples are listed below.

There are two different rental rates for canopies. The canopy fee for the Community Center is based on the actual rental cost charged by the Community Center's contracted third-party caterer for a premium canopy. The second canopy fee for Recreation and Human Services is a smaller City-owned canopy set up by City staff. The proposed resolution includes notation for the premium canopy fee.

Clarifying verbiage was incorporated for Returned Check Charges as directed by the California Civil Code section 1719. When the City deposits a check and it is returned by the issuing bank due to insufficient funds, the City's customer is liable for the amount of the check plus a service charge payable to the City. State law limits that service charge to \$25 for the first check and \$35 for each subsequent check.

Business license information requested by the public is either printed in hardcopy or transmitted electronically via an email attachment. Since information is now sent via email,

copying business information onto a CD is no longer needed; therefore, the fee “CD-RW” was deleted. Also the line item listing business information presented in Word, Excel, or Access format was redundant; and was therefore deleted.

Various fees are based upon the City’s actual cost. Clarifying language has been added throughout the proposed resolution to make clear the method used for calculating the City’s cost. An example is the Planning Division Environmental Fee, which now has the following additional language: “calculated as staff time multiplied by wage & benefit rate, plus City’s out-of-pocket costs including third-party consultants.”

Finally, language has been added to address fee deposits that have been consumed. “Staff time and materials spent on the project are charged against the deposit. Additional money will be required if the original deposit balance falls below 20%. Failure or refusal to supplement the deposit, when requested, will cause staff to stop processing the application and any related requests and/or paperwork.”

## **V. FISCAL IMPACT**

Actual additional revenue generated from the proposed fee increases will be based on customer usage.

- City Clerk fee revenue may increase by about \$500.
- The increase of the wholesale fireworks permit fee is expected to increase revenue by about \$30,000.
- Facility use fee proposals may increase revenue by about \$30,000.

## **VI. EXHIBITS**

A - Resolution No. 17-001, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CARSON, CALIFORNIA, ESTABLISHING NEW FEES AND CHARGES FOR GOODS AND SERVICES PROVIDED BY THE CITY OF CARSON AND AMENDING THE COMPREHENSIVE SCHEDULE OF FEES ADOPTED BY RESOLUTION NO. 16-065, final version (pages 7-27)

B - Resolution No. 17-001, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CARSON, CALIFORNIA, ESTABLISHING NEW FEES AND CHARGES FOR GOODS AND SERVICES PROVIDED BY THE CITY OF CARSON AND AMENDING THE COMPREHENSIVE SCHEDULE OF FEES ADOPTED BY RESOLUTION NO. 16-065, red-lined version (pages 28-52)

C - Ordinance No. 17-1612, AN ORDINANCE OF THE CITY OF CARSON, CALIFORNIA, MAKING AMENDMENTS TO THE CARSON MUNICIPAL CODE TO AMEND LOCAL MODIFICATIONS TO THE LOS ANGELES COUNTY BUILDING CODE AS ADOPTED BY THE CITY OF CARSON RELATED TO BUILDING FEES (pages 53-55)

D - City Clerk Fees, Cost Calculations (page 56)

E - Fireworks Fee Calculation (pages 57-58)

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